

8/14/06

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/565,712
Applicants: Jean-Michel CAZANAVE, et al.
Filed Internationally: July 21, 2004
US National: January 25, 2006
Title: CIRCUIT FOR SUPPLYING OXYGEN TO AIRCRAFT PASSENGERS
TC/A.U. Unknown
Examiner: Unknown
Docket No.: Serie 6353
Customer No.: 000040582

**PETITION FOR FILING BY OTHER THAN ALL THE INVENTORS
UNDER 37 C.F.R. §1.47**

Commissioner of Patents
P. O. Box 1450
Alexandria, VA. 22313-1450

Dear Sir:

The above-identified US patent application was previously submitted under 35 U.S.C. 371 and is a US national stage PCT application from PCT/FR2004/050348, dated July 21, 2004.

Applicants hereby petition for acceptance of the attached Declaration and Power of Attorney for Patent Application which has been executed by four (4) of the five (5) original inventors. The one inventor who has not executed the Declaration, Jean DEHAYES, left the employment of Air Liquide and our attempts to have the Declaration executed by him have been unsuccessful. Applicants' representatives, Mr. Philippe Conan and Ms. Nathalie Miglioretto, have provided statements attached hereto in which the attempts to have Mr. Dehayes execute the Declaration and Power of Attorney are outlined. Also attached is our transmittal letter to him for the Declaration which he returned with a Post-It note, and a translation of this note.

The Commissioner is hereby authorized to charge the appropriate Petition Fee of \$130.00 required under 37 C.F.R. 1.17(h) to Deposit Account No. 01-1375. The

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Commissioner is also hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper and to credit any overpayment to Deposit Account No. 01-1375. This paper is submitted in duplicate.

Respectfully submitted,

Date: **August 11, 2006**



Linda K. Russell, Reg. No. 34,918

Air Liquide
2700 Post Oak Blvd., Suite 1800
Houston, Texas 77056
(713) 624-8956 Phone – (713) 624-8950 Fax

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 11th day of August, 2006.



Diana Guzman

DECLARATION

I, Philippe CONAN, who is the Patents Group Manager in the Intellectual Property Department of the Air Liquide group in Paris, hereby declare:

That Nathalie MIGLIORETTO who is the assistant in charge of the preparation and of the sending of all the documents related to the Entry into the National phase before the United States Patent and Trademark Office, of International Application PCT/FR2004/050348, filed on July 21, 2004, now U. S. patent application 10/565,712, which are required by said Authority, informed me that Mr. DEHAYES, one of the inventors of the subject matter of said Patent Application, did not want to sign the documents, because he was disagreeing with their contents;

That on March 09, 2006, I had a telephone interview with Mr. DEHAYES, to explain to him that, as an inventor of the subject matter of the said patent application and as an employee of the Air Liquide Group French mother company, he must sign both required documents; and that, if he however did not want to sign them, he should be kind enough to send them back to our department for further processing;

That Mr. DEHAYES, maintained his position, refused to sign said documents and sent them unexecuted to us;

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Date: August 7, 2006

Philippe Conan

DECLARATION

I, Nathalie Miglioretto, assistant in the Intellectual Property Department of the Air Liquide group in Paris, hereby declare:

That I have been in charge of the preparation and of the sending of all the documents related to the Entry into the National phase before the United States Patent and Trademark Office, of International Application PCT/FR2004/050348, filed on July 21, 2004, now U. S. patent application 10/565,712, which are required by said Authority;

That on February 23, 2006, I sent to Mr. DEHAYES, one of the inventors of the subject matter of said Patent Application, a letter accompanying the Declaration and Power of Attorney Form For Patent Application and the Assignment of Invention Form, in order to be signed by him;

That having received no answer to said letter, I decided to call up Mr. DEHAYES on March 9, 2006;

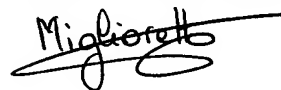
That during this telephone interview, Mr. DEHAYES told me that he will not sign the documents, because he was disagreeing with their contents;

That I thus informed Philippe CONAN, who is the Paris Patents Group Manager of the department; who also failed to convince Mr. DEHAYES to sign the said documents, and who asks then to inform my US colleagues of the matter, that I did on April 7, 2006.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: August 7, 2006

Nathalie Miglioretto

A handwritten signature in black ink, appearing to read 'Miglioretto', with a horizontal line drawn through it.

L'AIR LIQUIDE S.A.
DPI

REÇU
le : **23 MARS 2006**

Délai(s) saisi(s) par :
Délai(s) vérifié(s) par :
Total facture :

*DIRECTION DE LA PROPRIÉTÉ
INTELLECTUELLE*

75, QUAI D'ORSAY
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Monsieur Jean DEHAYES
Résidence Belledonne
38660 LUMBIN

nos références :

Paris, le 23 février 2006

Objet : Pouvoirs pour signature

N/réf. : S 6353 - EDC/NM

Monsieur,

Afin de nous permettre de régulariser les formalités relatives à la validation aux Etats Unis et au Canada du brevet international cité en référence, je vous prie de trouver ci-joint des pouvoirs à signer et je vous remercie de me les retourner, dès que possible, **et au plus tard le 9 mars 2006.**

Je reste à votre disposition pour toute information complémentaire et vous prie d'agréer, Monsieur, l'expression de mes sentiments distingués.


Nathalie MIGLIORETTO

PJ : 3 pouvoirs

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Translation of Inventor Dehayes' Post-It:

"In response, following our telephone conversation of late last week."

le 21. 03. 2006

En Retour, suite à notre conversation
téléphonique de fin de semaine dernière.

Salutations

Daly